

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | SHIMKETS ET AL. | Examiner: | S. SAKELARIS |
| Serial No.: | 10/722,292 | Group Art Unit: | 1634 |
| Filed: | NOVEMBER 25, 2003 | Docket No.: | 11669.206USD1 |
| Confirmation No.: | 9115 | Customer No.: | 23552 |
| Title: | METHOD OF DETECTING CARDIAC HYPERTROPHY THROUGH PROBE HYBRIDIZATION AND GENE EXPRESSION ANALYSIS | | |

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

Certification Under 37 C.F.R. §1.97(c)(1)

In accordance with 37 C.F.R. §1.97(c) or §1.97(d), the undersigned hereby certifies that each item of information listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart foreign application within three months of filing this statement.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
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Date:

September 8, 2006

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PATENT TRADEMARK OFFICE

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| FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary) | Docket Number: 11669 206USDI | Application Number: 10/722,292 |
| | Applicant: SHMKETS ET AL. | |
| | Filing Date: 11/25/2003 | Group Art Unit: 1634 |

| U.S. PATENT DOCUMENTS | | | | | | |
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| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | 2003/0148296 A1 | 08/07/2003 | Brown et al. | | | |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
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| | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | YES | NO |
| | WO 92/12238 | 07/23/1992 | PCT | | | | |
| | WO 97/16209 | 05/09/1997 | PCT | | | | |
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| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | |
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| | Cooper, "Basic Determinants of Myocardial Hypertrophy: A Review of Molecular Mechanisms", <u>Annu. Rev. Med.</u> , 48:13-23 (1997) |
| | Hannan et al., "Cardiac Hypertrophy: A Matter of Translation", <u>Clinical and Experimental Pharmacology and Physiology</u> , 30:517-527 (2003) |
| | McGill et al., "Cell cycle control mechanisms and their role in cardiac growth", <u>Cardiovascular Research</u> , 30:557-569 (1995) |
| | Ritter et al., "The molecular basis of myocardial hypertrophy and heart failure", <u>TRENDS in Molecular Medicine</u> , 9(7):313-321 (2003) |
| | Sadoshima et al., "Angiotensin II and Serum Differentially Regulate Expression of Cyclins, Activity of Cyclin-Dependent Kinases, and Phosphorylation of Retinoblastoma Gene Product in Neonatal Cardiac Myocytes", <u>Circulation Research</u> , 80:228-241 (1997) |
| | Copy of European Search Report dated June 19, 2006 |

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| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. | |